

P. Ser. No. 09/984,810
Att'y Docket No. 2207/12554
Assignee: Int'l C rporation

REMARKS

This submission accompanies a request for continued examination under 37 CFR § 1.114. Claims 1-8, 10-18, 20, 21 and 23 are pending in this application.

The Advisory Action denied entry of the proposed amendments filed October 16, 2003, certain terms of which also appear the above amendments. Specifically, the Advisory Action alleges that the proposed amendments raise the issue of new matter by use of the term "arrangement". The Applicant respectfully disagrees. The term "arrangement" is not new matter: it appears, for example, in claims 6 and 22 as originally filed. It is further noted that the subject matter of claims "need not be described literally (i.e., using the same terms or *in haec verba*) in order for the disclosure to satisfy the description requirement." MPEP § 2163.02. Further, the term "rearrangement" appears several times in the specification. The Applicant respectfully submits that a "rearrangement" is still an "arrangement."

In the final Office Action mailed July 16, 2003, claims 1-23 were rejected under 35 USC 103(a) as being unpatentable over Japan Pat. No. 07-245575 (hereinafter, '575). To establish a prima facie case of obviousness under Section 103, all claim limitations of a claimed invention must be taught or suggested by the prior art. See MPEP, Section 2143.03 and *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In view of the foregoing authority, the Applicant respectfully submits that the cited reference does not support the asserted rejection.

Independent claim 1 of the present application recites, among other things, determining a second arrangement for a second plurality of conductive paths based on analyzed characteristics, where the second arrangement effects a rearrangement of a first plurality of conductive paths. Independent claim 8 recites, among other things, rearranging a pattern of conductive paths based on an analyzed at least one characteristic of a first plurality of relatively parallel

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conductive paths, such that at least a portion of at least one of a second plurality of relatively parallel conductive paths is laterally offset with respect to a corresponding path of the first plurality of relatively parallel conductive paths. Independent claim 16 recites, among other things, altering a characteristic of a first plurality of conductive paths, where the altering comprises determining a second pattern for a second plurality of conductive paths based on an analyzed characteristic of the first plurality of paths, and where the second pattern effects a rearrangement of the first plurality of conductive paths. Accordingly, '575 does not establish a prima facie case of obviousness for at least the reason that it fails to disclose the foregoing claimed features.

The '575 document also fails to teach or suggest an analyzing step as required by each of the independent claims. It is noted that only an English abstract, and not the full English translation, of Japanese document '575 is provided. Thus, correspondences alleged in the Office Action between disclosure in the '575 document and elements of the present claimed invention are necessarily based at least in part on speculation. In particular, for example, the Office Action's expressed opinion that '575 teaches analyzing characteristics of signals as further required by the present claims does not find support in the abstract. The Office Action appears to recognize this deficiency by further asserting that "[I]f in fact the '575 [document] fails to teach ... analyzing of signals ...," the claimed feature is obvious.

The Applicant respectfully disagrees. In addition to failing to explicitly teach or suggest the claimed analyzing step, the figures in '575 fail to show structure corresponding to structure disclosed in the present application, indicating that the Office Action's conclusions as to obviousness are unfounded. For example, nothing in '575 shows plan views of a first arrangement of a first plurality of conductive paths arranged in a first arrangement, and of a second plurality of conductive paths arranged in a second arrangement, as, by contrast, is shown in FIGs. 5A and 5B, respectively, of the present application. These

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figures illustrate that, according to embodiments of the present invention, the second arrangement effects a rearrangement of the first plurality of conductive paths. Since this rearrangement is based on an analyzing step as claimed and '575 does not show such a rearrangement, the Applicant respectfully submits that a more reasonable conclusion than that set forth in the Office Action is that '575 does not teach or suggest the claimed analyzing step.

The independent claims are therefore allowable over '575. The dependent claims, since they incorporate the limitations of the independent claims, are likewise allowable over '575 for at least the reasons discussed above. In consideration of the foregoing, the Applicant respectfully requests withdrawal of the rejection of claims 1-8, 10-18, 20, 21 and 23 as unpatentable over '575.

Claims 1-23 were further rejected under 35 USC 103(a) as being unpatentable over Japan Pat. No. 2000-244133 (hereinafter, '133). The Applicant respectfully submits that this document also does not support the asserted rejection, for substantially the same reasons as set forth above in connection with '575. For example, nothing in '133 teaches or suggests a rearrangement as claimed and as illustrated in FIGs. 5A and 5B. Consequently, nothing in '133 teaches or suggests the claimed analyzing step, either. Withdrawal of the rejection of claims 1-8, 10-18, 20, 21 and 23 as unpatentable over '133 is accordingly respectfully requested.

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In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees under 37 C.F.R. 1.16 or 1.17 related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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